

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

Bail Appl..No. 890 of 2007()

CMP.1440/2007 of J.M.F.C.,KARUNAGAPPALLY

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: PETITIONER/ACCUSED

SHARIYAR, S/O. IBRAHIMKUTTY,
AMBITHARAYIL HOUSE, ADINADU SOUTH,
ADINADU VILLAGE, KARUNAGAPPALLY.

BY ADV. SRI.J.OM PRAKASH

RESPONDENT: RESPONDENT/STATE

THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION NO. 890 OF 2007

DATED THIS THE 14th DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the accused in Crime No.107/07 of Karunagappally Police Station for offences punishable under sections 366A and 376 IPC, seeks his enlargement on bail. The occurrence took place on 29.1.2007. The petitioner was arrested on 31.1.2007.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 9.30AM on 29.1.2007, petitioner induced the minor daughter of the de facto complainant to go with him on a false promise that he would marry her and after taking her in his car to the house of his paternal aunt, ravished the girl.

4. It is too early to consider the documents produced by the petitioner to show that on the date of the alleged occurrence, the girl had attained majority. Going by the School records, she was a minor on the date of commission of the offence. The investigation of the case is not yet over. If at this stage of the investigation, the petitioner is released on bail, he will definitely influence and intimidate the prosecution witnesses including the victim. I am not inclined to grant anticipatory bail to the petitioner.

This petition is accordingly dismissed.

V.RAMKUMAR, JUDGE

dsn